THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23945 of 2006

ORAL ORDER:

This writ petition is filed seeking Writ of Certiorari to call for records relating to proceedings No.C/2897/2006 dated 3.10.2006 of the respondent and quash the same as arbitrary and illegal.

It appears, the petitioner is a fair price shop dealer of Shop No.216 (N.R.No.312) at APIIC Colony, Qutbullapur mandal, Ranga Reddy district. While so, her authorisation was suspended by order dated 24.7.2006. Aggrieved by the same, petitioner earlier filed W.P.No.15768 of 2006. This Court by order dated 28.7.2006 dismissed the said writ petition, but however directed the respondent herein to take up the enquiry as contemplated under the proceedings dated 24.7.2006 and complete the same within a period of three weeks from the date of receipt of that order. Since no enquiry was conducted in spite of the order passed by this Court, petitioner filed another W.P.No.20032 of 2006 before this Court. Since the orders of this Court dated 28.7.2006 in W.P.No.15768 of 2006 were not complied, this Court directed to restore the authorisation pending enquiry, if the enquiry is not completed. Thereafter, it seems, without issuing any show cause notice, the impugned order dated 3.10.2006 has been passed by the respondent cancelling the authorisation of the petitioner. Aggrieved by the same, the present writ petition is filed.

When the matter came up for admission 20.11.2006, the learned Government Pleader was directed to obtain instructions as to whether any show cause notice was issued to the petitioner before passing the impugned order. The learned Government Pleader, on instructions submits that no show cause notice as required under law was issued before passing the impugned order cancelling the authorisation of the petitioner.

In view of the above, I am of the opinion that the impugned order dated 3.10.2006 passed by the respondent is in gross violation of principles of natural justice, therefore, the same is liable to be set aside.

In the result, the writ petition is allowed and the impugned order dated 3.10.2006 is set aside and the authorisation of the petitioner shall be restored forthwith. However, this will not preclude the authorities from conducting a detailed enquiry into the matter after issuing show cause notice to the petitioner and passing appropriate orders thereafter. No order as to costs.

_____

C.V.RAMULU, J

Date: 22.11.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23945 of 2006

22.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23945 of 2006

Date: 22nd November, 2006

Between:

Smt.P.Chandrakala

.. Petitioner

And

Special Grade Deputy Collector &
Revenue Divisional Officer, Ranga Reddy
East Division, Goshamahal, Hyderabad.

.. Respondent